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June 10, 2025

**BY ECF**

The Honorable Jeannette A. Vargas  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: **Haggai et al., v. Kiswani et al., 25-civ-2400(JV)**

Dear Judge Vargas:

This letter is respectfully submitted, as counsel for defendant Mahmoud Khalil, on behalf of all defendants in response to Plaintiffs' June 9, 2025, letter (ECF # 43), filed at 10:15 p.m. last night. First, we apologize to the Court that imprecise language in our June 6, 2025, letter (ECF # 42) has generated wholly unnecessary correspondence – Plaintiffs' letter last night and this response with respect to a modest and reasonable request for a one-week extension of time.

However our June 6, 2025, letter was phrased, the bottom line is – as the email thread provided by Plaintiffs as an exhibit (ECF # 43-1) to their letter establishes without any doubt – Plaintiffs *consented* to Defendants' request for a one-week adjournment of the time in which to file their motions to dismiss the First Amended Complaint ("FAC"). The authority for the extension, of course, rests within the discretion of the Court, and Plaintiffs, rather than contact Defendants to correct the June 6, 2025, letter, instead – three days later – availed itself of a perceived opportunity to undermine its own written agreement regarding the schedule.

It is also worth mentioning that when Plaintiffs' filed their FAC late and without leave of court, Defendants did not pile on and seek dismissal. The reason is that Defendants had already agreed – in email correspondence with Plaintiffs' counsel – to the filing of the FAC on the date it was filed, and honored that accommodation despite the advantage it could seek from Plaintiffs' failure to follow the rules.

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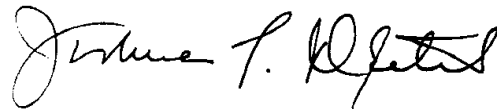
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Indeed, Defendants became aware of Plaintiffs' intention to file a FAC because counsel for one defendant was inadvertently included on an email between Plaintiffs' counsel. Defendants did not seek advantage from that, either, but instead immediately notified Plaintiffs' counsel, and together negotiated an adjusted schedule to present to the Court.

Our June 6, 2025, letter was not technically a "joint letter." Again, we apologize for that imprecision. Nevertheless, it accurately conveyed an agreement in writing between all Plaintiffs and Defendants with respect to a new schedule necessitated by uncertainty as to the status of the FAC (until last Thursday, when it was accepted by the Court) and, in turn, the specific object of Defendants' motions to dismiss.

Accordingly, it is respectfully requested that the Court approve the one-week extension of time – to which all parties expressly agreed – and schedule for subsequent papers as set forth in our June 6, 2025, letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua L. Dratel", written in a cursive style.

Joshua L. Dratel

JLD/